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THIS ORDER RELATES TO A  
HEARING HELD ON  
FEBRUARY 11, 2010

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13  
Case No. 809-79364-AST

JAMES J. PERRI,

ORDER DISMISSING CASE

Debtor.

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UPON the January 22, 2010 written application of Marianne DeRosa, Chapter 13 Trustee, (the "Trustee") seeking entry of an Order dismissing the instant Chapter 13 case pursuant to 11 U.S.C. §1307(c) and due notice of the aforesaid application having been given to all necessary parties; and

WHEREAS, on February 11, 2010, the Trustee appeared in support thereof and Richard A. Jacoby, Esq., attorney for the Debtor, advised the Trustee that there was no opposition; and

WHEREAS, the Debtor failed to commence making Chapter 13 plan payments to the Trustee, as required by 11 U.S.C. §1326(a)(1); and

WHEREAS, the Debtor failed to comply with all disclosure requirements of E.D.N.Y. LBR 2003-1; and


WHEREAS, the Debtor failed to appear and be examined at the Section 341 Meeting of Creditors as required by 11U.S.C. §343; and

WHEREAS, each of the foregoing constitutes cause for dismissal of a Chapter 13 case; it is accordingly

ORDERED, that the instant Chapter 13 case be dismissed pursuant to 11 U.S.C. §1307(c) of the Bankruptcy Code.

**Dated: March 5, 2010**  
**Central Islip, New York**



  
**Alan S. Trust**  
**United States Bankruptcy Judge**